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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/506,225	02/17/2000	Rabindranath Dutta	AUS000101US1	7208

7590

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EXAMINER

AKPATI, ODAICHE T

ART UNIT	PAPER NUMBER
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2135

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DATE MAILED: 01/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PR4

Office Action Summary	Application No.		Applicant(s)	
	09/506,225		DUTTA, RABINDRANATH	
	Examiner		Art Unit	
	Tracey Akpati		2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 February 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Bryant (6286046 B1).

With regards to Claim 1, Bryant meets the limitations:

“requesting content from a source using an identifier” on column 3, lines 34-35; and

“sending a set of identifiers used to reach the content to a validation service” on column 3, lines 62-66; and

“responsive to a response from the validation service indicating monitoring of access to content, selectively preventing receipt of content from the source” on column 4, lines 13-24. The referenced art is set up very similarly to the claimed invention. It possesses a web browser, a web server and a monitor that represents the validation service that uses a list of urls obtained from the web server to serve the purpose of overall performance evaluation (column 4, lines 20-24). The examiner asserts that the usage of the set up as a data processing system for detecting monitoring of access to content and selectively

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preventing receipt of content from the source is not expressly mentioned in the referenced art. However the latter purpose is a highly possible function of the referenced art because the setup is very similar to the claimed invention and using the referenced art to achieve the purpose of the claimed invention is very likely and possible. Hence the examiner asserts that the referenced prior art meets this limitation.

With regards to Claim 2, 10 and 31 the limitation “wherein the source is a Web server” is met on column 3, lines 34-35 and 39-42.

With respect to Claim 3, 11 and 32 the limitation “wherein the content is a web page” is met on column 3, lines 9-11.

With respect to Claim 4 and 24, the limitation “wherein the validation service is located on a server” is met on column 3, lines 57-59.

With respect to Claim 5, the limitations:

“presenting an indication of monitoring by the source” is met on column 4, lines 18-24;
and

“responsive to receiving user input indicating that receipt of content from the source should be prevented preventing receipt of content from the source” on column 4, lines 18-24.

With respect to Claim 6, the limitation “including an identification of the source in a service used to prevent receipt of content from identified sources” is met on column 5, lines 26-33.

With respect to Claim 7, 12, 28 and 33 the limitation “wherein the identifier is a universal resource locator” is met on column 3, lines 62-66.

With respect to Claim 8, the limitations

“receiving a request from a requestor to determine whether a source is monitoring access by the requestor, wherein the request includes a set of identifiers used to access selected content” is met on column 3, lines 62-66; and

“sending the request to the source using the set of identifiers” is met on column 4, lines 15-24; and

“receiving a response from the source, wherein the response includes an identifier” is met on column 4, lines 53-56; and

“comparing the set of identifiers to the identifier and generating a response indicating monitoring of the requestor by the source in response to an absence of a match between the identifier and any identifier in the set of identifiers” is met on column 5, lines 3-14.

With respect to Claim 9 and 30, the limitation “sending the response to the requestor” is met on column 5, lines 29-33.

With respect to Claim 13 and 34, the limitation “wherein the set of identifiers are in an order used to reach the selected content and wherein the sending, receiving, and comparing steps are performed for each of the identifiers within the set of identifiers” is met on column 5, lines 15-25.

With respect to Claim 14, the limitation “the step of generating the response comprise placing an identification of the source in the response” is met on column 5, lines 3-9.

With respect to Claim 15, the limitation “wherein the identification of the source is a domain name for the source” is met on column 6, lines 45-48.

With respect to Claim 16, the limitations

“communications interface receivers content from a network” is met on column 3, lines 14-20; and

“a graphical user interface used to display content” is met on column column 3, lines 20-21; and

“a language interpretation unit, wherein the language interpretation unit processes content received by the communications interface for display on the graphical user interface” is met on column 3, lines 27-32; and

“a detection unit, wherein the detection unit requests content from a source using an identifier, sends a set of identifiers used to reach the content to a validation service, selectively prevents receipt of content from the source in response to a response from the validation service indicating monitoring of access to content” is met on column 4, lines 30-56.

With respect to Claim 17, the limitation “wherein the language interpretation unit interprets hypertext markup language statements” is met on column 3, lines 34-36.

With respect to Claim 18, the limitation “wherein the language interpretation unit interprets JavaScript” is met on column 3, lines 27-32.

With respect to Claim 19, the limitations

“a bus” is inherent in Fig. 2; and

“communications interface connected to the bus herein the communications interface is configured for connection to a network” is met on column 3, lines 14-20; and

“a processing unit connected to the bus, wherein the processing unit executes instructions” is inherent in Fig. 2; and

“a memory connected to the bus, wherein the memory includes instructions used to request content from a source using an identifier, send a set of identifiers used to reach the content to a validation service, and selectively prevent receipt of content from the

source in response to a response from the validation service indicating monitoring of access to content” is inherent in Fig. 2 and column 10, line 67.

With respect to Claim 20, the limitations “wherein the communications interface is one of a network adapter and a modem” is inherent in Fig. 2. This is because these components are necessary for the computer in the diagram to have access to the network, to which it is connected to.

With respect to Claim 21, the limitations

“a bus” is met in Fig. 2; and

“a communications interface connected to the bus wherein the communications interface is configured for connection to a network” is met on column 3, lines 14-20; and

“a processing unit connected to the bus, wherein the processing unit executes instructions” is inherent in Fig. 2; and

“a memory connected to the bus, wherein the memory includes instruction; used to receive a request from a requestor to determine whether a source is monitoring access by the requestor in which the request includes a set of identifiers used to access selected content, send request to the source using the set of identifiers, receive a response from the source in which the response includes an identifier, compare the set of identifiers to the identifier, and generate a response indicating monitoring of the requestor by the source in

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response to an absence of match between the identifier and any identifier in the set of identifiers” is inherent in Fig. 2 and on column 10, line 67.

With respect to Claim 22, the limitations

“requesting means for requesting content from a source using an identifier” is met on column 3, lines 34-35; and

“sending means for sending a set of identifiers used to reach the content to a validation service” is met on column 3, lines 62-66; and

“preventing means responsive to a response from the validation service indicating monitoring of access to content, for selectively preventing receipt of content from the source” is met on column 4, lines 13-24.

With respect to Claim 26, the limitations:

“presenting means for presenting an indication of monitoring by the source” is met on column 4, lines 18-24; and

“preventing means responsive to receiving user input indicating that receipt of content from the source should be prevented, for preventing receipt of content from the source” is met on column 4, lines 13-24.

With respect to Claim 27, the limitation “including means for including an identification of the source in a service used to prevent receipt of content from identified sources” is met on column 5, lines 26-33.

With respect to Claim 29, the limitations

“receiving means for receiving a request from a requestor to determine whether E-L source is monitoring access by the requestor, wherein the request includes a set of identifiers used to access selected content” is met on column 3, lines 62-66; and

“sending means for sending the request to the source using the set of identifiers” is met on column 4, lines 15-24; and

“receiving means for receiving a response from the source, wherein the response includes an identifier” ” is met on column 4, lines 53-56; and

“comparing means for comparing the set of identifiers to the identifier and generating means for generating a response indicating monitoring of the requestor by the source in response to an absence of a match between the identifier and any identifier in the set of identifiers” is met on column 5, lines 3-14.

With respect to Claim 35, the limitation “wherein the generating means comprises placing means for placing an identification of the source in the response” is met on column 5, lines 3-9.

With respect to Claim 36, the limitation “wherein the identification of the source is a domain name for the source” is met on column 6, lines 45-48.

With respect to Claim 37, the limitations:

“first instructions for requesting content from a source using an identifier” is met on column 3, lines 34-35; and

“second instructions for sending a set of identifiers used to reach the content to a validation service” is met on column 3, lines 62-66 ; and

“third instructions, responsive to a response from the validation service indicating monitoring of access to content, for selectively preventing receipt of content from the source” is met on column 4, lines 13-24.

With respect to Claim 38, the limitations:

“first instructions for receiving a request from a requestor to determine whether a source is monitoring access by the requestor, wherein the request includes a set of identifiers used to access selected content” is met on column 3, lines 62-66; and

“second instructions for sending the request to the source using the set of identifiers” is met on column 4, lines 15-24; and

“third instructions for receiving a response from the source, wherein the response includes an identifier” is met on column 4, lines 53-56; and

“fourth instructions for comparing the set of identifiers to the identifier and fifth instructions for generating a response indicating monitoring of the requestor by the

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source in response to an absence of a match between the identifier and any identifier in the set of identifiers" is met on column 5, lines 3-14.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tracey Akpati whose telephone number is 703-305-7820. The examiner can normally be reached on 8.30am-6.00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 703-305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7240 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

OTA
December 29, 2003


GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100